

Immigration, The Frontier, and the EU's Reluctant Gatekeepers: A Comparative Assessment of Greece and Poland

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ABSTRACT

JENNI BLACKWELL: Immigration, The Frontier, and the EU's Reluctant Gatekeepers: A Comparative Assessment of Greece and Poland
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Immigration is arguably the greatest and most challenging domestic issues throughout Europe. Since its creation, the European Union has attempted to create cohesive and consistent policy standards that allow states to effectively control immigration. However, today the European Union, and all of its member states, is inundated with undocumented or illegal immigrants. As a consequence, states are being economically, structurally, and socially challenged in many ways. At the frontier of the European Union's battle against immigration are its Border States and most importantly Greece and Poland. Geographically vulnerable, economically disadvantaged and structurally incapable, both Greece and Poland have reluctantly accepted their roles as gatekeepers but are failing to manage immigration for vastly different reasons. Comparatively assessing the critical issues, state response, and the European Union's response to Greece and Poland's immigration shortfalls demonstrates the need for a more comprehensive immigration policy and the resources required to create an unwavering frontier.

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Introduction:

Immigration is known as the sincerest form of flattery. Globalization, the ease of transportation, open borders, and liberalization has heightened the simplicity of relocating across national borders. As a result, today's developed nations have seen immigration transform into a nuisance rather than a welcomed form of flattery. The relentless search for jobs, family, freedom, or financial security has created unprecedented circumstances for migrants and nations. Further, as economic downturns continue to characterize the globe and unemployment remains high, the appeal of the European Union (EU) continues to attract non-European residents. Today there is no greater domestic issue for countries in Europe, or around the world, than that of immigration.

The EU is the greatest political experiment of the 21st century and its creation has ushered in a new challenge to traditional Westphalian notions of state sovereignty. Its establishment has renewed the European continent. However, as a consequence of its success and open border system, impossible levels of immigration are creating difficult financial, social, and security issues for the EU and its member states. To date, the EU has had little success in its attempts to control immigration.

According to the International Organization for Migration, the world is home to 200 million migrants; Europe hosts the majority with 70.6 million (Economist, 2010). It is estimated, according to Eurostat, that the EU receives almost 4 million illegal immigrants in a single year; and, that there are an estimated 8 million illegal immigrants currently living in the E.U (ibid).

After decades of uninhibited immigration, asylum seekers, emigrants, migrants, and illegal immigrants are increasingly creating economic and legal hardships on individual nation states.

The EU's extensive borders make tracking and apprehending immigrants a challenge. Its land border is approximately 12,400 km (7,700 miles) and has the second largest coastline of any other country in the world (Cendrowicz, 2008). There are approximately 300 million external border crossings each year at Europe's 1,792 frontier checkpoints (Commission, 2008).

Although several member states share responsibility for external borders and border crossings, their immigration policies are incredibly dissimilar. Inconveniently, the most essential EU Border States have the most problematic, unstable, and inconsistent immigration policies. The purpose of this essay is to comparatively analyze the issues and responses concerning immigration in two relatively poor EU Border States. Greece and Poland are on the frontier of the EU's most important borders and are home to the greatest controversies and problems associated with the inability to control immigration. By examining the problem of immigration, and the response solicited by both states and the EU, the inconsistencies become clear and a better understanding of current predicaments and possible solutions are facilitated.

Political history, EU influence, financial resources, state government composition, and the ability to create effective policies are just a few of the necessities that states require to control migration. These obstacles are compounded by geography and the inability to ensure security.

Through continued enlargement, Poland and Greece have become reluctant gate keepers and frequently struggle with the demands of EU policy pressures and citizen demands; while balancing state resources and the strain of securing an external border. However, despite these consistent struggles, both countries continue to attract immigrants to its borders and consequently struggle with the repercussions.

Literature Review and Background:

Immigration is as theoretically and conceptionally controversial as it is politically divisive. Controlling and identifying immigration is inherently problematic because, by its very nature, it concerns undocumented and unobservable events. Terms like “migrant”, “emigrant”, “illegal immigrant,” “illegal crossing,” “residence,” “asylum,” “visa,” “illegal residence,” muddle the policy debate and raise difficult questions and unreasonable classifications (Tapinos, 1999).¹ The question of definitions and classifications is important in helping to clarify numerical estimates and clear policy outcomes.² Furthermore, because people are inherently mobile, immigrants may occupy several different statuses’ over time and different states interpret these terms and statuses differently.

While states can count visa and asylum applications, counting the precise number of immigrants that cross a particular border is an impossible undertaking due to logistical and physical obstacles. Knowing immigrant inflows is vitally important for states, and the EU, because it helps indicate possible financial and social repercussions as well as demographic

¹ *Immigration* is understood as the movement of non native people into a country for the purpose of work or settlement. *Immigration policy* is defined as a policy that affects the transit of persons across its borders. (Tapinos, 1999).

² Most academic and institutional estimates on immigration inflows skirt or too narrowly define what constitutes “illegal” and “legal” residence (Tapinos, 1999). The European Union and each individual member state define the parameters (ie. timeline of stay, family reunification requirements, income and medical requirements) for legal and illegal residency differently. One coherent policy definition is currently lacking as well as standardized requirements for entry.

phenomena. However, the majority of the data collected is based on estimates and methodologies of counting are controversial and contested.³

The openness of today's European borders combined with the ease of modern day transportation has made traveling into the EU an easy task. Immigrants seeking permanent refuge within the EU have several identifiable and functioning methods of entry. The most legitimate, and EU endorsed method of entry, is to buy visas. Although costs vary, most states issued visas generally cost an estimated 1,000 euro.⁴ However, a more common occurrence is purchasing forged Polish or Romanian visas or passports for an estimated 300-800 euro (Rettman, 2011). A third option is to be smuggled into the EU by truck, train, or by boat while other migrants result to walking or swimming (ibid).

While all of these options present a certain level of risk, many immigrants have used one or more methods of entry and are resilient in their quest for EU residency. Once within the borders of the EU, opportunities, restrictions, and rules vary depending on the state in which an immigrant enters. Although the EU has had some influence on policy outcomes and is making attempts to create standard policies, the frontier states are plagued by ever changing rules and severely altered variations of EU intentions.

Since the EU doesn't have the resources to patrol and directly implement a consistent policy throughout its border region, immigration control is deferred to member state. While explicitly stating rules in the *acquis communautaire*⁵ and creating intergovernmental agencies such

³ (Jandl, 2004) (Tappinos, 1999) (King R. and Black R. 1997) (Grabbe, 2003) (Vachudova, 2000)

⁴ Estimate based on overall requirements. For example, any Polish or Schengen visa, for a stay of longer than 90 days, requires various documents based on country of residency: confirmation letter confirming family ties, bank statements, health insurance coverage of 30,000 euro, bank statements. Work visas require written documentation from employers and family reunification access requires extensive documentation (Ministry, 2011)

as FRONTEX, and EUROPOL⁶, the EU has attempted to, but falls short, of instigating equal state immigration regulations for all 27 member states.

Adding to the difficulty of a comprehensive immigration reform, within the EU, is the differences that have influenced state immigration policy and the debate that surrounds the balance between state and EU influence. While Greece is plagued with the geography of the sea and Poland is tested in the regulations of visas and working migrants, both face the challenges of being on the frontier of the EU immigration debate. Both states have an identifiable immigration policy that has been shaped by their histories and complex relationships with their neighbors. Furthermore, both Poland and Greece are overwhelmed by accusations of corruption and high levels of economic poverty. In 2009, Greece had the EU's second lowest Index of Economic Freedom⁷, after Poland, ranking 81st in the world (Heritage, 2011). Greece has been deemed one of the most corrupt countries by the CIA and has very low global competitiveness compared to its EU colleagues (Rettman, 2006). While Poland is the most economically stable post communist country, it has yet to reach economic stability compatible with the euro zone; and, is synonymous with maintaining one of the lowest minimum employment wages in Europe (Kicinger, 2009). Although Poland and Greece are separated by history and geography, they share the burden of protection the European border, while struggling to overcome economic downturns, corruption, and high levels of immigration.

⁵ The entire body of European laws is known as the *aqui communautaire*. Most recently, regarding immigration, the European Parliament and the Council of the European Union adopted Directive 2008/115/EC on common standards and procedures in Member States for returning illegally staying third-country nationals. (Grabbe, 2002)

⁶ FRONTEX is the EU body tasked to coordinate the operational cooperation between Member States in the field of border security. The activities of FRONTEX are intelligence driven. EUROPOL is the EU law enforcement agency that handles criminal intelligence. (Carrera, 2007)

⁷ Index of Economic Freedom measures economic freedom of 183 countries based on trade freedom, business freedom, investment freedom, property rights and 6 other economic measures. (Heritage, 2011)

Greece joined the EU in 1981 after the tumultuous end of communism and a dramatic economic downturn as a result of an oil crisis (Okolski, 2000). Due to continent wide economic instability, demands for foreign labor reduced; and, many European states began implementing strict migration policies. Greece, a recovering new democracy, became the destination for migrants and labor seekers. The fact that Greece has always been a migrant exporting country and had suddenly become a migrant importing country, caught the government and society off guard. As a result of the sudden need for change, a number of issues were raised that have remained for thirty years, ranging from dealing with xenophobia and racism; inhibiting the formation of a proper migration policy (Okolski, 2000)

The influx of migrants found Greece completely unprepared and as a result, several attempts from the government at forming proper migration policy were unsuccessful. However, these attempts began almost two decades after its accession into the EU. Greece was the last of the southern European countries to implement a regularization program for unauthorized immigrants. At the time of implementation of Greece's first regularization program in 1998, Italy was undertaking its fourth program, Spain had carried out three programs, and Portugal two (No Border, 2010)

Migration to Greece belongs to a broader set of contemporary migration phenomena that has occurred in Southern Europe over the last twenty years. Greece shares the following characteristics, known as the 'South European model' of migration: multi-policy resolutions; a gender asymmetry in certain flows; and increasing participation of urban educated persons among legal and illegal migrants; and a high degree of illegality, due both to the restrictive character of EU migration policy but also to the size and strength of informal economies that can host and sustain large numbers of illegal migrants (King and Black 1997; King 2000; Pugliese,

1993) Therefore, the trends of Greek immigration are not unfamiliar to southern European states, however the ways in which Greece has dealt with it has been unusual.

For Greece, migration management has focused on the one hand a series of regularization programs for resident labor migrants and on the other on the prevention of illegal migrants, through reinforced border protection (Papadopoulou, 2004). However, after several attempts at regularization policy and the creation of several multi step processes, state infrastructure and migrant integration continue to falter. The main challenges facing Greek migration policy was historically and continues to be: how to effectively control migrant inflows, how to prevent legal migrants from lapsing into illegality, and how to promote their economic and social integration (Papadopoulou, 2004).

Policy in Greece today dictates that immigrants who enter the EU through Greece have direct access to the EU. Because Greece does not have an implemented border/visa policy, many migrants continue into mainland Europe without visas, passports, or any type of government documents. As a consequence, Greece has become the primary “point of return”⁸ for migrants who are captured in mainland Europe without documents of legal entry (Rettman, 2011).

The example of Greece, its attempts to create visa standards, its border status, and its policy failures aided the EU in identifying important steps in state immigration policy. As the *acqui* and the EU evolved, the Soviet Union collapsed and soon several post soviet countries began the accession process. Poland was one of the first and most vital post soviet countries to enter the EU after the end of the Cold War. As Europeanization took a stronghold in Polish public policy, immigration reform mostly reflected the wishes of the EU; “The immigration policy frame adopted by the CEE countries has been largely inspired by the requirements of

⁸ Rule, known as the Dublin Regulation, that says undocumented immigrants found anywhere in the EU must be returned to their country of entry. Usually Greece or Poland (Pop, 2011a)

accession to the EU and dominated by security concerns.” (Geddes 2003: 184). As a result, the EU took a steering position with Poland and greatly influenced its current immigration practices.

From a purely emigration country, Poland transformed into one of both emigration and immigration beginning in the 1990’s.⁹ Although the number of illegal immigrants in Poland is controversially estimated as low, Poland has nonetheless maintained its role as one of the principle sending countries in Europe (Kicinger, 2009).

In 1997 a new Aliens Act represented a mixture of EU inspired solutions to emerging Polish problems (Kicinger, 2009). The introduction of temporary residence permits, ‘safe third country,’ and ‘safe country of origin’ that had been successfully used by Western countries were implemented in Polish law (Bienicki, 2008). However, the law had its short comings and the eve of accession forced Poland to implement continuous changes to its immigration policy in accordance with the developing *acquis* (Grabbe, 2002). Changes to Poland’s immigration laws in 2003, and again in 2006, brought it closer in line with the wishes of Western countries despite some laws’ contradiction to Polish customs and wishes (Bienicki, 2008).

Visa policy was an immigration subfield that put Polish and EU interests at odds. Russia, Belarus, and the Ukraine were placed on the visa requirement countries list under the common EU visa regime. This resulted in the necessity to introduce visas for nationals of these countries as a requirement of Polish accession. The requirement became a real policy challenge and Poland became torn between EU pressures to adapt, its geopolitical position, and a resulting need to maintain neighborly relations with countries to its east (Grabbe, 2003). The introduction of visas was delayed as long as possible and Poland finally succumbed to EU demands in October 2003 (Bienicki, 2008). However, the liberal scheme for issuing visas did not lead to a decrease

⁹ *Emigration* is the act of leaving ones country of origin to settle in another. (Kicinger, 2009)

in movement on Poland's eastern border. Therefore, "the liberal mode of issuing visas and fee-free tourist visas for Ukrainians proved to be an example of securing Polish interest on the one hand and fulfilling our obligations resulting from EU membership on the other." (Kicinger et al. 2007)

The Polish system disperses responsibilities among various institutions. Poland lacks a genuine immigration office, so the shaping of overall migration policy lies with the Ministry of Internal Affairs (Kicinger, 2009). Furthermore, due to the decentralized structure of state administration, important functions such as the legalization of residency and the issuing of residence permits are carried out by regional offices (*ibid.*) This fragmented system of operation is highly complex and arguably ineffective at implementing policy consistently. Furthermore, the Aliens Act names the Border Guard as the main operational body enforcing the rules for the entry and stay of foreigners in Poland (Kicinger, 2009). Accordingly, it has the sole competence for executing the admission, readmission, and expulsion of irregular migrants. Because so much power lies within one entity, claims of corruption and bribes are common.

As a result of Poland's visa liberalism and institutional makeup, it is home to a host of problems most of which have a large impact on Poland's western neighbors. Poland has silently tolerated working migrants and illegal employment for years and the economic repercussions for Poland are mounting. Despite years of economic reform and external investment, Poland continues to have one of the lowest GDP's among EU countries (Grabbe, 2003). Furthermore, the influx of immigrants from Post Soviet countries has created a steam of illegal activity that runs through Poland and into the EU. Illegal gun trades, human trafficking, drug and money laundering, and organized crime flourished and are greatly dependent on Poland's institutional makeup (Grabbe, 2003)

For Poland, immigration problems lie in a continually evolving immigration policy that tries to keep up with the moving target of EU policy and the *acqui* (Grabbe, 2002). Today, immigrants who enter the EU through Poland have indirect access to the EU due to visa expirations and working permit requirements. However, the liberal visa regime and silent toleration of working immigrants have created a unique situation in Poland; in which, inflows of immigrants are bypassing and disregarding stated policy at the expense of Poland's economy and other EU member states.

Poland and Greece are both similarly situated in importance to the EU's battle against illegal immigration and controlling the flow of migrants. Economically disadvantaged and seemingly handicapped by a lack of monetary resources and geographical proximity, both states have become pivotal points for combating illegal immigration. However, the institutional structure, state response, and EU response to each state's individual issues have been conflicting. While Greece is being actively acted upon and Poland is being passively steered, both are floundering in their attempts to control immigration, appease their citizens, and be a contributing member of the EU.

Greece

Current Issues

Between 1991 and 2001 the population of Greece increased by almost 7%, the immigration population, both legal and illegal, more than tripled to account for 7.3% of the entire population (Economist, 2010). In early 2000, estimates place the sum of the undocumented, and of the newly documented through regularization, at between 600,000 and 800,000 (Cavounidis, 2002, p48). All in all, it appears that the total number of immigrants present in Greece in 2000 approached the 1 million mark (ibid). Of the 106, 200 people detected crossing illegally into the EU in 2009, three quarters were stopped in Greece and early data from 2010 suggest that Greece's burden has risen further to about 80% of the EU total (Economist, 2010).

Located at Europe's southeastern border, Greece faces a major external and internal policy challenge to control irregular migration flows to the EU. The geographical position, the exclusive asylum policies, and lack of experience in combating illegal migrants have transformed Central and Eastern European countries into a perfect "waiting room" for migrants (Okolski, 2000).

For some migrants, especially victims of violence and political persecution, the main question is personal security and protection. Thus the fact that Greece is a European, democratic, and safe country is a sufficient criterion for settlement, despite the asylum policy problems they face after arrival.

In general, the Greek framework has been criticized for lacking an effective administrative infrastructure and a coherent state plan for integration. Most policy is guided by a rationale of ad hoc and temporary solutions, rather than comprehensive planning for migrant reception (Research, 2010). In the policy context, the opportunities for legal entry in Greece are very limited; as a result, the majority of migrants follow the illegal path. A reasonable explanation suggests that the root of the problem of illegal crossing is not the practice itself, but the absence of legal entry alternative (Economist, 2010).

The asylum and regularization process is long, between 18 months and 2 years. This prolonged situation is counterproductive in the process of smooth social and economic integration (Cavoundinis, 2002). Further, Greece has one of the lowest recognition rates of 7% to 9% while other EU countries recognition rates are over 20% (ibid). Poor infrastructure, lack of resources, difficult processes, and alleged reports of abuse and torture discourage migrants from applying for legal status within Greece. As a result, they tend to remain undocumented in order to maintain the right to apply for asylum in another European country.

Unlike Poland, and surrounding southern Border States, Greece has been unable to negotiate viable bilateral solutions to its immigration problems. Until 2007, most of the influx of immigrants in southern Europe was relatively shared by Greece, Italy, and Spain. However, bilateral deals, such as Italy's with Libya and Spain's with Senegal and Mauritania, have largely closed down the western and central Mediterranean routes into the EU (Cavoundinis, 2002). Greek attempts to negotiate a similar agreement with Turkey have stalled.

One of the most important aspects for Greece in the area of migration management is cooperation with Turkey, given Turkey's key geographical position. While the nationality of Greece's immigrants is varied, it is believed that the majority of them use Turkey as a launching

point for entry. Due to Turkey's relationship with the EU, and its historical relationship and proximity with Greece, reaching an agreement on a fair and effective immigration policy for both countries has been difficult. In November 2001, the two countries signed a protocol for the readmission of illegal migrants (Papadopoulou, 2004). Its implementation has not been considered a success up to now, at least from Greek perspective. According to the ministry of public order, out of 5,600 applications for Turkish readmission in 2002, only 100 were accepted (ibid).

According to officials in Ankara, Turkey is happy to sign a migrant readmission deal with the EU; but, expects the EU to start talks on visa free travel if it wants to see a clampdown on people sneaking into Greece (Pop, 2011c). Noting that the EU has lifted visa requirements for countries such as Paraguay and Uruguay and started visa free talks with Moldova, Russia, and Ukraine, but not Turkey, Ankara's chief negotiator says "its time to put an end to this nonsense" (ibid). Turkey also claims to have detained 70,000 people in 2010 who were trying to get into the EU illegally (Pop, 2011c). However, any talks of immigration policy with Greece generally lead to discussion of Cyprus' blockade of Turkish succession. Any attempts at negotiation are usually stalled on the part of Turkey; arguably immigration control is Turkey's greatest bargaining chip to date.

The need for border patrol officers and facilities is one of Greece's most adamant needs and complaints. While it is believed that a million immigrants enter Greece every year, in 2001 only 6,800 were detained at the border while trying to enter (Papadopoulou, 2004). Another 210,000 were arrested inside the country in 2001, while only 114,181 were arrested inside the country in 2002. (ibid).

A further dire need is space for asylum seekers and captured immigrants. For several years, the United Nations High Commission for Refugees (UNHCR) and the Council of Europe has reported on the poor conditions of Greek immigration and detention centers. In 2010, the UNHCR called upon the EU to aid in the 'humanitarian crisis' that is taking place in Greece (Pop, 2011a). After visiting EU immigration centers, "The UNHCR staff described the condition of the center as unacceptable...one room houses over 150 women and 50 babies, many suffering from illnesses related to the cramped and unsanitary conditions of the center" (ibid). UNHCR spokesman, Andrej Mahecic, says more than 850 people are being held in a center, which is meant to hold only a maximum of 300 people (Pop, 2011a). The deplorable conditions are not unknown to Greek authorities; however, without staff, facilities, and money, Greece is unable to change or address the situation.

It is well known that Greece faces economic and austerity problems that are unprecedented in the Euro zone. The repercussions, on the state level, of seemingly uncontrolled immigration are believed to be two fold. While some scholars argue that in certain instances immigrants add to state infrastructure, others advocate the opposite. In the case of Greece however, immigrants are thought to have helped the expansion of the already large informal economy. In some cases, they have substituted Greek unskilled and semi-skilled workers leading to increased income inequality, as well as unemployment and slow wage growth for those low skills (Papadopoulou, 2004). Further it is argued that they contribute to the slowing down of the technological developments, since firms find it easier to hire cheap labor than to invest in capital intensive production techniques.

In some other issues, such as the impact of immigrants on aggregate employment, and unemployment a definite answer is not clear. However, since immigrants have a low income they

pay relatively little in direct taxes; therefore, long term impacts on social security and welfare systems is projected as negative.

Greece's economic downturn has brought devastation to the euro zone. However, its immigration issues are similarly dismantling to the EU and to Greece's attempts at economic recovery. Inadequate resources and infrastructure bolstered by a tedious relationship with internal and external neighbors, has made immigration policy an impossible undertaking for Greece's legislature.

State Response

The recent near bankruptcy of Greece and its effects on the euro have directly affected its ability to control immigration and to implement any kind of temporary or permanent solution. To date, Greece has been able to minimally obstruct, but not control migration (Geddes, 2001)

Every year the government spends 80 million Euros (\$103M) on tackling the problem of immigration (Pop, 2011b). However, this account is far from adequate and with austerity in the air more cash is unlikely to be found. "Greece cannot handle more illegal migrants on its territory and is determined to take all necessary measure to protect its borders" (Rettman, 2011). Recently, the Greek legislature voted on immigration standards and rules aiming at bringing its legislation in line with EU requirements. The bill also includes an amendment introduced allowing some 15 former army camps to be turned into reception centers for refugees and immigrants (Pop, 2011b). However, the monetary commitments are lacking and like other immigration policy reforms, the success of these proposals is questionable.

Furthermore, Greece has recently proposed to construct a fence on the most traveled portion of the Turkish-Greek border. The U.S.-Mexican styled fence is purported to help stop the inflow of immigrants in areas that cannot be monitored by border control. When asked about

the costs to build the 12.5 km fence, which will cover only the most vulnerable part of the 206 km-long border with Turkey; Greek officials said the comparison should be made with the price paid by Greece when 200 irregular immigrants cross its borders on a daily basis (Pop, 2011b).

Ultimately, the Greek government has been berated for its inability to control immigration, while its actions and monetary allocations are subjected to the microscope of the EU member states. An economic recovery package, austerity measures, and attempts to control immigration are inherently at odds and the Greek government is seemingly handicapped to fix its many problems.

EU Response to Greece

Greece received little attention, from the EU, until its economic failure threatened the stability of the Euro zone. However, after the UN publicly broadcasted the blatant human rights abuses taking place within Greek immigration and asylum centers, the EU reacted with haste.

Under the direction of the Brussels office, FRONTEX opened a pilot office in the Greek port of Piraeus in October (Pop, 2010b). Two hundred soldiers from 24 countries were deployed to the Greek border in hopes of aiding the Greek government in controlling incoming immigrants (ibid). However Frontex is squeezed by budgetary and personal constraints, and the efforts have been described by Greece's home affairs minister as "a drop in the ocean" and described the job as "a challenge" (Pop, 2010b). FRONTEX's annual budget is 88million Euros; roughly half the amount the EU devotes to subsidizing rice production. (Economist, 2010)

The Council of Europe, while berating Greece for the abhorrent condition of its detention center conditions, simultaneously pleaded for a change to the current EU rules on asylum. Transferring arrested migrants to Greece as a point of entry is endangering the human rights standards that the EU subscribes. Due to Greek's current system failure, some immigrants and

asylum seekers wait up to a year for a preliminary asylum hearing, while living in overcrowded detention centers. By suspending the rule of return, known as the Dublin regulation, “could help ensure that asylum seekers are not denied their right to a full and fair determination of their asylum claims” (Pop, 2011a) The reform measure was tabled by the EU commission pending agreement between member states. Individual countries, such as Finland, have voluntarily suspended transfers to Greece.

The EU is adamantly against Greece’s proposals to build a fence between the Greek and Turkish border. Several individual member states have criticized the plan while at the same time denouncing Greece’s incapacity to stem irregular immigration. The European Commission has said “walls and barriers are short term measures” that cannot solve the long term immigration problems (Pop, 2011b). The UNHCR also warned against the plans. This war of words has had little effect on Greece’s plans for the fence and calls the Commissions denouncements as “hypocritical”(ibid).

While the EU claims that a fence between Greece and Turkey sends the wrong message, it has done little to ease Turkey’s requests for visa free travel. EU home affairs commissioner Cecilia Malmstrom has said “the road to visa liberalization is tough and filled with clear requirements and criteria’s, but other countries have succeeded and I see no reason why Turkey shouldn’t be able to. It would also give us an important push forward in our cooperation” (Pop, 2011c). However these words are seen as another promise in a long line of accession talks that have gone on for four decades.

With the economic aid that Greece received from member states, additional insistences on immigration reform are frequent but rarely welcomed. The EU’s attempts at balancing international pressures while attempting to guide Greek immigration policy have been ill

received. Furthermore, unwillingness to negotiate with Turkey has created devastating repercussions for Greece. Consequently, the relationship between Greece, the EU, and the member states is tedious and bolsters policy complications at every level of government.

Poland

Current Issues

In 1994, 74 million foreigners entered Poland, including eight to nine million citizens of the former Soviet Union (Kicinger, 2009). Over the past fifteen years the number of immigrants, migrants, foreign workers, and tourists entering Poland has been staggering. The majority of individuals who enter from the East either request asylum, find employment, or are in transit to the West.

The most recent estimate on immigrants' stock in Poland has been presented by the Central Statistical Office; according to its data, the number of immigrants currently residing in Poland temporarily, three months and longer, is about 200,000 (Kicinger, 2009). Around 60,000 out of the total have been residing in Poland for more than 12 months; the numbers of visitors who transition through Poland are estimated to range from 500,000 to one million every year (ibid).

Early attempts to curb the movement of immigrants from Poland into mainland Europe were important to Schengen members and the international community as a whole. In the early 1990's, western countries and the UNHCR pressured Poland to join the Geneva Convention in order to facilitate the legal return of immigrants captured in other countries (Bienicki, 2008). Multilateral relationships with Schengen resulted in countries lifting visa requirements for Polish nationals, while Poland was obligated to take back all persons who illegally entered Schengen territory through Poland (ibid). The agreement launched a chain reaction of readmissions

agreements between Poland and its neighbors and among other EU member states and CEE countries.

Poland also committed itself to bilateral agreements with its internal and external neighbors. After the fall of the Soviet Union, Germany was the destination of over half of all East Europeans applying for asylum in Western Europe. From 1989 to 1992 about one million applications for asylum were filed in Germany, 560,000 came from Eastern Europe through Poland (Kindler, 2008). As a result, Poland and Germany signed bilateral agreements in order to maintain a healthy relationship and create coordination of immigration relations. According to early agreements, persons who came to Germany illegally through Poland were to be returned and Poland would be compensated by Germany for its efforts (Kicinger, 2009). As Poland has slowly created immigration and visa policy, Germany has created stricter enforcements and continues to pressure Poland for stricter enforcement while returning or refusing entry to thousands every year. Nonetheless, the movement of Ukrainians in and out of Germany and Poland, to suffice visa requirements, is estimated in the thousands.

As well as internal bilateral relationships to help control immigration, Poland has maintained a close relationship with its eastern neighbors since the breakup of the Soviet Union. Poland has had to maintain a balancing act between appeasing the EU while pushing for a more liberal relationship between other EU member states and eastern countries (Rettman, 2010b). Poland and Ukraine have continued a close cultural relationship that has bolstered working migrants and the blind toleration of illegal Ukrainian workers. Poland is an avid advocate for visa free travel for Ukrainians; however, Eastern countries are a tight nit and push for equal treatment for Russia and Belarus simultaneously.

A few months after the global economic crisis became visible in world economies, a considerable slowdown started in Poland. Annual gross domestic product (GDP) growth dropped from 4.9 percent in 2008 to 1.8 percent in 2009 (Heritage, 2011). As a result, Polish nationals began migrating to other EU countries in search of work. Although unemployment in Poland is one of the highest in the EU, the need for cheap labor from the Ukraine has led to a complacent Polish immigration policy that has blindly accepted illegal immigrants (ibid).

Seasonal workers and circular/shuttle migrants from Ukraine constitute the majority of irregular immigrants in Poland. Short geographical and cultural distances and easy access to tourist visas encourage this kind of migration. The majority of these immigrants do not perceive Poland as a place suitable for long term stay or settlement, since earnings are low and do not enable the start of a regular family household (Kindler, 2008). However, wages are still attractive in comparison with salaries and costs of living in Ukraine. Ukrainians are hired mainly in such sectors as agriculture, construction and households' services (ibid).

Although estimates of migrants and illegal crossings are impossible to determine, during the first year of Poland's visa regime over 1,100,000 visas were issued for Ukrainians, Belarussian, Russian nationals (Kępińska 2004: 12). In addition, illegal employment numbers were believed to range from 300,000 to one million although the actual employment of foreigners in Poland has always been much higher than official statistics (Koryś 2004: 18).

Shortages of labor forced a partial opening of Polish labor markets for foreigners from three neighboring countries. In August 2006, the right to employ workers from Ukraine, Belarus, and Russia without work permits for three months was granted (Kindler, 2008). Such special regime initially concerned only the agricultural sector; however, in June 2007 the right to employ workers without work permits from the neighboring countries was extended to other sectors

including construction (ibid). The labor market pressure for skilled and unskilled workers forced further developments. In February 2008 the duration of work without a work permit has been extended from three to six months in a given period of 12 months (Kindler, 2008). The response from Polish employers for these legislation facilitations has been immediate. During the first six months of 2007, 23,115 individual declarations from employers were issued, the majority for Ukrainians (Kindler, 2008). In the second half of 2007 approximately 24,500 workers mainly from Ukraine were invited to work in Poland (ibid). This change in the legislation works as a channel for recruiting from abroad not as a regularization channel.

However despite these liberalizations, only 2% of Ukrainians work in Poland legally (Kindler, 2008). According to experts, estimation of a number of Ukrainians working illegally in Poland annually is up to 500,000 (Kindler, 2008). However, this category of immigrants is characterized by a circular mobility so they are short-term/temporary immigrants. They reside in Poland legally but often work illegally in the underground economy. The majority of them enter Poland on the basis of tourist visas.

Despite Poland's large number of working immigrants, it not a lustrous destination and those who do not work to send money back east, use Poland as a means of transit or as a temporary home. Furthermore, exacerbating Poland's problems is the movement of Polish nationals into Western Europe. Poland has one of the largest Diasporas in the world with approximately 15 to 20 million Polish nationals living and working abroad; Germany and the United Kingdom are home to the largest Polish populations in Europe (Grabbe, 2003)

The social, political, and economic issues that have resulted from Poland's immigration issues have not only negatively affected Poland, but their repercussions are being felt all over Europe. Illegal immigrants, migrants, and Polish nationals moving out of Poland and into the

EU have bolstered the domestic discourse on immigration control. Immigration debates have ignited throughout Europe and frequently Poland, and Polish nationals abroad bear the brunt of international anger.

For Poland, although its economic growth is higher than the EU average, its economy and social capital continue to suffer. While some Polish nationals send money into Poland for reinvestment, many foreign workers spend their incomes in other Western countries or return with it to Eastern Europe (Kindler, 2008). Although determinations on the long term effects on Poland's welfare and social systems are unknown, investments in education, property, and technology are disappearing (ibid). Poland is seemingly headed for continued levels of high unemployment, low economic freedom, low wages, and a decreasing GDP.

The spillover of illegal activity for Eastern Europe into the EU has quickly bolstered crime and illegal activity throughout the continent. Arguably the greatest security threat to the EU in the 21st century is that of organized and transnational crime. Poland has become a gateway for the illegal arms and drugs trade, money laundering, international criminal networks, and human trafficking. According to the United Nations, Poland is the most important source country for the movement of illegal drugs from the East into the EU (UNDP, 2001). In Germany, Polish organized crime groups are the second largest non-German organized crime group. Furthermore, Poland's long border and visa free regime with ex-soviet republics has created fears of a mass inflow of people fleeing destabilization that could continue to exacerbate these problems.

State Response

Many argue that Poland's immigration problems are a result of its own legislation; and, to date Poland has not independently pursued any active and/or selective immigration policy.

The problem of the irregular employment of workers from the East in the secondary labor market and the silent toleration policy towards the phenomenon, definitely call for more transparent policy and actions.

However, the Polish state response has generally opposed traditional immigration legislation and continually pushes for a visa free regime in the east. Poland continually argues that the economic costs of implementation and enforcement are too high.

Poland's relationship with foreign workers is tedious. While some argue foreign workers are necessary for labor, others believe they are taking Polish work and keeping wages down. However, Poland's special relationships with Ukraine will likely result in continuing visa liberalization. Furthermore, pushing for liberalization is not solely a Polish priority. Representatives from fourteen countries calling themselves "Friends of Ukraine" have joined in the fight for a visa free zone East of the Polish border (Phillips, 2011).

Poland's fight against crime is limited by its resources and resolve. Although Poland has seen a decrease in violent crime within its borders, the movement of people, drugs, weapons, and money is an exorbitant problem. Alarming, it is believed that the majority of drug smuggling and illegal arms coming into the EU are transported from Eastern Europe through Poland and without Polish commitment, the problem will continue.

Poland is currently engaged in two major battles, both of strategic importance, the battle against unemployment, reaching almost 20% at its highest; and, the battle for the position of Poland in international post-cold war system of international relations (Rettman, 2010b). Consequently, other not so urgent policy matters, such as immigration and the regularization of immigrants, receded into the background.

EU Response to Poland

The EU has had a huge influence on Poland's immigration policy and has helped direct it through tough reforms and into the EU. The EU has given millions of Euros to Poland for infrastructure building, public outreach, and operations costs. None the less, after accession, Poland began liberalizing its visa regime in sheer defiance of EU wishes. Today, the EU's greatest responses to Polish immigration have taken place in the international forum.

While still creating its foreign policy, and developing its interests in the East, the EU has slowly become amenable to the ideas of visa free zones to the East. In 2010, the European Commission began developing aspects of an "Internal Security Strategy" which includes enhanced border management and EU data systems (Pop, 2010a). The most controversial, new program within the strategy is called Eurosur and it would be a "system of systems" focusing on enhanced border surveillance "in order to reduce the number of illegal immigrants who enter the EU" (ibid). The introduction of biometric passports and, in some instances fingerprint recognition at border crossings, the EU, led by border states, has been pushing for technological reforms to the border system. When negotiating for visa liberalization east of Poland, the Internal Security Strategy demands that Russia, Ukraine, and other eastern states adopt these changes (Pop, 2010a). The EU believes Poland is the perfect testing ground for these new reforms.

However, money for implementing these reforms and the hypocrisy claimed by Ukraine, is making dialogues difficult. "The political impulse for intensifying visa dialogue must be the same for all these countries- Russia and the six countries of the Eastern Partnership. Visa policy cannot go against our declared foreign policy" (Phillips, 2011). Ukraine is outraged that it receives the same foreign policy considerations as those in breakaway Abkhazia and South

Ossetia regions. Poland is caught in the middle of this diplomatic bickering with allegiance to both parties.

While the EU is slow to directly act upon Polish legislation, it is certainly and directly affected by uncontrolled immigration. The balancing act between cooperation and appeasement has created a difficult relationship for the EU and Poland, and between Poland and all its neighbors.

The EU: Immigration and the Frontier

The European Union and its politics of deterrence are guided by one credo: "The fight against illegal migration." This fight is firmly in the centre of the harmonization process of *Fortress Europe*, even if the history of migration and the balance of power are quite different in Poland and Greece. To a large extent, the institutional framework of migration in the EU member states is one of control and restriction. This framework affects migration flows and consequently, as demonstrated by the EU's gatekeepers, leads to an increase of irregular and illegal immigrants.

The EU is not known for its ability to consistently implement policy across its 27 member states. Immigration policy is unfortunately no exception, and these inconsistencies are personified in the EU's treatment of Greece and Poland. Although Poland and Greece present divergent problems, the EU's response should be comparable in its level and degree of dedication. However, the history and current policy capabilities of each country, combined with political hurdles and 27 divergent opinions, has compounded immigration problems. The reasons behind these divergent approaches are many and are greatly dependent on the actions of each state and their willingness to receive assistance and/or act independently.

Greece's inability to solve its problems with immigration are a result of historical incapability's combined with economic hardships and geographical proximity. The EU's response to Greece, through FRONTEX troop allocation, is unprecedented. The United Nation's thunderous disapproval most certainly weighed heavily on the decision to send troops.

Furthermore, because Greece is actively pursuing state resolutions to its immigration problems, the EU member states have been actively responding. The rhetoric is stronger because the stakes are higher, especially in regards to Turkey and the potential for visa free travels.

Conversely, Poland's unwillingness to pursue internal immigration legislation that limits and restricts immigration, weighs heavily on its current situation. After a strong EU steering process that lead to reforms, Poland reached accession and changed paths. Although torn between labor shortages, cultural and historical ties, and economic incentives, Poland has ultimately played a large part in its immigration conundrum. The EU member states pleas for less liberalization and stricter enforcement fall on deaf ears; and, as long as states are given freedom to independently resolve immigration, Poland will likely continue on the same path. The EU cannot discuss, in case of Poland, any real achievements or improvements without taking into consideration the use of legal foreign workers. Because guest worker programs are here to stay, the EU should be dedicated to the adherence of best practices for all member states, but has yet to develop such standards.

The presence of transit migrants in both Greece and Poland is a good example of the degree of state interdependence in immigration issues; migrants are moving between member states according to the types or rights, protection, and opportunities available. The transit condition of refugees, asylum seekers, and immigrants is not a domestic, but a common European issue. Irregular immigrants, temporary, and permanent settlement need to be seen as different phases in the migration process. Greece and Poland, like many EU members now face two major challenges; first to provide better protection to immigrants on the basis of need rather than on the basis of which country it is easier to reach through smuggling. And secondly, to

understand and incorporate responsibility sharing as a key to strengthen their own border protection and reception capacity.

Conclusion

The EU's frontier is failing to control immigration and as a result the EU is struggling to keep up with the inflow of its growing immigrant population. Welfare and social services are beginning to weaken and across Europe budget cuts and austerity measures are underway. Controlling its border system and implementing consistent standards are paramount to creating a coherent policy that combats the problem of immigration while maintaining the values of the EU *acqui*.

Unfortunately, two of the most economically disadvantaged states sit on the most pivotal border regions of the EU. Poland and Greece represent the consequences of historical, cultural, political, and economic failures that plague immigration control. Comparatively assessing their political resolve and capabilities reveals vast differences in attitude and responses to their divergent problems. Comparing Greece and Poland's immigration policy is a difficult task. Although comparable in geographical positioning, economic disadvantages, and degree of burden, Greece and Poland have not been comparable in their responses.

Torn between its eastern neighbors and the EU, Poland is acting against the desires of the EU member states by continuing to liberalize its visa standards, and avoid comprehensive restrictions on immigration. After a series of steering measures and accession in the early 1990's, the EU has lost influence over Polish border policy. As a result, Poland is forced now forced to find a balance between: its need for foreign workers, its cultural ties to the east, and the external repercussions that have resulted from its too liberal policy.

Conversely while actively pursuing solutions, Greece is inhibited by political obstacles between the EU and Turkey, and the financial austerity that has rendered it handicapped to its immigration problems. After accession and the slow acceptance of its immigration status Greece is now faced with the repercussions of its slowly and inadequately formed policies. Although Greece now possesses the internal political will that will foster change, it will continually be hindered by external political obstacles and economic shortcomings that are a result of its negligent past.

Ultimately both states are failing to protect the frontier of the EU and without proper internal and external support neither will recover. Although the EU is handicapped by the states' willingness to act, it is clear that when it does act, it acts without consistency. Plagued by a lack of force and 27 uncompromising member states, it is unlikely that EU immigration policy will be greatly improved in the near future. Meanwhile, Greece and Poland will continue to reluctantly accept their positions as gatekeepers to the EU.

The EU's external border is vitally important. Implementing an effective immigration policy must begin at the frontier and consistently be carried throughout the member states. However, the EU's most vulnerable member states sit at its most vital geographic barrier and without special consideration both will continue to fail in protecting the EU from the uncontrollable influx of migrants. Every nation on earth gives special care and consideration to its borders and regards them as vital aspects for internal security. Greece and Poland, despite their internal struggles, deserve similar consideration from the European Union, its member states and international community.

Bibliography

- Bienicki, M. (2008) Regularization of Immigrants in Poland: What is wrong with it and what should be done? *Migration Online E-Library*. May 16. <http://www.migrationonline.cz/e-library/?x=2094766>
- Carrera, S. (2007) The EU Border Management Strategy: FRONTEX and the Challenges of Ill regular Immigration in the Canary Islands. *Center for European Policy Studies Working Document* No. 261.
- Cavounidis, J. (2002) Migration in Southern Europe and the Case of Greece. *International Migration* Vol. 40 No 1. pp.45-70
- Cendrowicz, L. (2008). EU Plans Biometric Border Checks. *Time Magazine Online*. February 13. <http://www.time.com/time/world/article/0,8599,1712841,00.html>
- Economist. (2010). Border Burden: Greece Struggles to deal with European Problem. *The Economist Online*. August 19. <http://www.economist.com/node/16847278>
- Commission of the European Communities. (2008). Communication from the commission to the European Parliament and to the Council on an entry/exit system at the external borders of the European Union, facilitation of border crossings for *bona fide* travelers, and an electronic travel authorization system. March 1. www.europa.eu
- Geddes, A. (2003) *The Politics of Migration and Immigration in Europe*. London: Sage.
- Grabbe, H (2002) European Union conditionality and the *Acquis Communautaire*. *International Political Science Review*. Vol. 23 No. 3. pp 249-68.
- Grabbe, H (2003) Stabilizing the East while keeping out the Easterners: internal and external security logics in conflict. In Lavenex, S. and Ucarer, E.M. (eds.) *Migration Externalities of European Integration*. Lanham: Lexington Books. pp. 91-104.
- Heritage Foundation. (2011). *Index of Economic Freedom*. The Heritage Foundation and Wall Street Journal. <http://www.heritage.org/index/>
- Jandl, M. (2004) The Estimation of Illegal Migration in Europe. *Migration Studies*, Vol. XLI, No. 153, pp. 141-155.
- Kepinska, E. (2004). Recent Trends in International Migration. The 2004 SOPEMI Report for Poland. Warsaw: University of Warsaw, Institute for Social Studies Working Paper.

- Kicinger, A., Weiner, A. and Gorny, A. (2007) Advanced yet Uneven: the Europeanization of Polish Immigration Policy in Faist, T., Ette, A. and Baumann, M. (eds.) *The Europeanization of National Immigration Policies*. Basingstoke: Palgrave Macmillan, pp. 181-200.
- Kicinger, Anna. (2009). Beyond the Focus on Europeanization: Polish Migration Policy 1989-2004. *Journal of Ethnic and Migration Studies* Vol. 35, No. 1 pp. 79-95
- Kindler, M. (2008) Risk and Risk Strategies in Migration: Ukrainian Domestic Workers in Poland. In Lutz, H (ed.) In *Migration and Domestic Work: A European Perspective on a Global Theme*. Burlington: Ashgate Publishing. pg 145-160.
- Ministry of Foreign Affairs for the Republic of Poland. (2011). The Polish Embassy Schengen Visa Requirements. March 1.
http://www.e-konsulat.gov.pl/Wiza/FormularzWiza_2.aspx
- Okolski, M. (2000). Recent Trends and Major Issues in International Migration: Central and Eastern European Perspectives. *International Social Science Journal*. Vol. 165. pp 329-341.
- Pugliese, E. (1993) Restructuring of the Labor Market and the Role of Third World Migrations in Europe. *Society and Space* No 11. pp 513-522.
- King, R. (2000) Southern Europe in the Changing Global Map of Migration. In King, R., Lazaridis, G. and Tsardanidis, C. (eds.) *Eldorado or Fortress? Migration in Southern Europe*. Basingstoke: Macmillan.
- King, R. and Black, R. (eds.) (1997). *Southern Europe and the New Immigrations*. Brighton: Sussex Academic Press.
- No Border Network. (2010). News Archive. *No Border Network Online*.
<http://www.noborder.org/archive.php>
- Papadopoulou, A. (2004). Smuggling into Europe: Transit Migrants in Greece. *Journal of Refugee Studies* Vol. 17. No 2. pp. 167-184.
- Phillips, L. (2010) Brussels tells Athens to take the pain as unrest rumbles. *EU Observer Online*. August 19. <http://euobserver.com/?aid=30647>
- Phillips, L. (2011). Van Rompuy: Absurd to treat eurozone like Ukraine and Argentina. *EU Observer Online*. January 13 <http://euobserver.com/9/31639>
- Pop, V. (2010a) EU 'homeland security' plans ratchets up border protection. *EU Observer Online*. November 22. <http://euobserver.com/9/31323>

- Pop, V. (2010b) EU sending 175 armed guards to Greek-Turkish border. *EU Observer Online*. October 30. <http://euobserver.com/?aid=31164>
- Pop, V. (2011a) Human rights court deals blow to EU asylum system. *EU Observer Online*. January 21. <http://euobserver.com/22/31681>
- Pop, V. (2011b) Greece blasts EU 'hypocrisy' for opposing Turkey wall plans. *EU Observer Online*. January 10. <http://euobserver.com/22/31610>
- Pop, V. (2011c) Turkey to EU: No visa free, no clampdown on migrants. *EU Observer Online*. January 27. <http://euobserver.com/15/31708>
- Research Institute for European and American Studies. (2010) Destabilization through illegal immigration in Greece. RIEAS Online. http://rieas.gr/index.php?option=com_content&task=view&id=812&Itemid=89
- Rettman, A. (2006). MEPs to shame 11 EU states in final CIA report. *EU Observer Online*. November 28. <http://euobserver.com/?aid=22965>
- Rettman, A. (2010a). EU eyes open borders with post Soviet countries. *EU Observer Online*. May 11. <http://euobserver.com/?aid=30055>
- Rettman, A (2010b) Visa breakthrough masks EU-Ukraine tensions. *EU Observer Online*. November 22. <http://euobserver.com/?aid=31316>
- Rettman, A. (2011). Migrants battle to get into fortress EU. *EU Observer Online*. January 26. <http://euobserver.com/22/31700>
- Tapinos, G. (1999). Clandestine Immigration: Economic and Political Issues. In Soppemi (ed.) *Trends in International Migration*. OECD. OECD Publications, Paris. pp. 229-251.
- United Nations Development Programs. (2001). *National Report: Poland and the Global Information Society*. March 1. <http://hdr.undp.org/en/reports/national/europethecis/poland/name,3202,en.html>
- Vachudova, M. (2000). Eastern Europe as Gatekeeper: The Immigration and Asylum Policies of an Enlarging European Union. In Andreas, P. and Snyder, T. (eds.) *The Wall Around the West: Border States and Immigration Control in North America and Europe*. Rowman and Littlefield.